

**FILED**

**APR 26 2019**

Clerk, U S District Court  
District Of Montana  
Billings

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESUS BAUTISTA-ARREDONDO,

Defendant.

CR 19-03-BLG-SPW

ORDER

On April 26, 2019, the Court conducted a Competency Hearing in this case. The representations of counsel and the report submitted by Forensic Psychologist Cynthia Low, Ph.D., and the staff at the Federal Detention Center in SeaTac, Washington, establish and the Court finds by a preponderance of the undisputed evidence that Defendant Jesus Bautista-Arredondo is suffering from a mental disease or defect rendering him incompetent to the extent he is unable to understand the nature and consequences of the proceedings against him or assist in his defense. The Defendant Jesus Bautista-Arredondo is not now competent to stand trial. 18 U.S.C. § 4241.

ORDERED:

1. Defendant Jesus Bautista-Arredondo is committed to the custody of the Attorney General.

2. The Attorney General shall hospitalize Defendant Jesus Bautista-Arredondo for treatment in a suitable facility for a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future Defendant Jesus Bautista-Arredondo will attain the capacity to permit the trial to proceed.

3. The Attorney General shall provide the Court with a report on Defendant Jesus Bautista-Arredondo's mental condition and competency to stand trial no later than 90 days from the date of commencement of the hospitalization and treatment as ordered.

4. In the event the facility finds there is no substantial probability that in the foreseeable future the defendant will be able to assist in his defense and permit this case to move forward, the director of the facility shall file a certificate, pursuant to 18 U.S.C. § 4246(a), stating whether the defendant is presently suffering from a mental disease or defect as a result of which his release would create a substantial risk of bodily injury to another person or serious damage to property of another and whether suitable arrangements for state custody and care of the person are available.

5. For purposes of the Speedy Trial Act, the delay resulting from these psychiatric or psychological evaluations is excludable under 18 U.S.C. § 3161(h)(1)(A).

DATED this 26<sup>th</sup> day of April, 2019.

Susan P. Watters  
SUSAN P. WATTERS  
United States District Judge